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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/669,609

09/25/2003

Keisuke Tanaka

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EXAMINER

QIN, YIXING

ART UNIT

PAPER NUMBER

2625

NOTIFICATION DATE

DELIVERY MODE

07/02/2007

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/669,609

Applicant(s)

TANAKA, KEISUKE

Examiner

Yixing Qin

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 9/25/03, 12/29/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

I. Claims 1 and 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Haeberli (U.S. Patent No. 6,587,596) .

Regarding claim 1, Haeberli discloses a printing service system comprising a printing service apparatus for providing a service of printing a composite image generated from an image and characters, and a user terminal connected to the printing service apparatus via a network for using the printing service, (Fig. 1)

the printing service apparatus comprising template storage means for storing templates (Fig. 1 - image database 114) used for generating the composite image and template sending means for reading one of the templates from the template storage means according to a template transfer request from the user terminal and for sending the template to the user terminal, (column 8, lines 41-65 – the received image is a template that can be edited through cropping and adding text information)

the user terminal comprising character input means for inputting the characters to be used for generating the composite image according to the template sent thereto, and for sending the characters to the printing service apparatus, (Fig. 6a-6b, and column 11 line 50 – column 12, line 6. Also column 23, lines 58-65)

the printing service apparatus further comprising composite image generation means for generating the composite image from the characters received from the user terminal and the image according to the template, and image data sending means for generating data of the composite image and sending the composite image data to the user terminal, (Figs. 12a, 12b and column 17, lines 8-27) wherein

the printing service apparatus comprises:

instruction page data sending means for sending, to the user terminal, data of an instruction page for enabling the user terminal to specify enlargement of the characters input from the user terminal, (Figs. 12a, 12b and column 17, lines 8-27. Item 112 of Fig. 1 is a web front that facilitates information transfer) and

enlargement sending means for generating enlargement data of the characters specified by the user terminal and for sending the enlargement data to the user terminal. (Figs. 12a, 12b and column 17, lines 8-27.)

Regarding claim 3, Haeberli discloses a printing service apparatus connected via a network to a user terminal for using a service of printing a composite image generated from an image and characters, the printing service apparatus comprising:

template storage means for storing templates used for generating the composite image; (Fig. 1, item 114)

template sending means for reading one of the templates from the template storage means according to a template transfer request from the user terminal and for sending the template to the user terminal; (Fig. 6a-6b, and column 11 line 50 – column 12, line 6.)

composite image generation means for receiving the characters input from the user terminal to be used for generating the composite image and for generating the composite image from the characters and the image according to the template; (Fig. 6a-6b, and column 11 line 50 – column 12, line 6. and Fig. 12a, 12b)

image data sending means for generating image data representing the composite image generated by the composite image generation means and for sending the image data to the user terminal, (Figs. 12a, 12b and column 17, lines 8-27. Item 112 of Fig. 1 is a web front that facilitates information transfer) wherein

the printing service apparatus further comprises:

instruction page data sending means for sending, to the user terminal, data of an instruction page that enables the user terminal to specify enlargement of the characters input from the user terminal; (Figs. 12a, 12b and column 17, lines 8-27.) and

enlargement sending means for generating enlargement data representing the characters whose enlargement was specified by the user terminal and for sending the enlargement data to the user terminal. (Figs. 12a, 12b and column 17, lines 8-27 shows that a user can specify different sizes)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

II. Claims 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Haeberli (U.S. Patent No. 6,587,596) in view of Ogata et al (U.S. Patent No. 4,827,349)

Regarding claims 2, 4, Haeberli discloses a method of sending information to be printed at a photo lab.

It does not explicitly disclose "wherein the character input means of the user terminal sends the characters in the form of character codes to the printing service apparatus and the composite image generation means of the printing service apparatus has a Japanese character conversion program for converting the character codes received from the user terminal into the characters to be used for generation of the composite image."

However, Ogata discloses in column 8, lines 27-45 discloses the conversion of ASCII code to character image when received at a teletex terminal.

Haeberli and Ogata are combinable because both Haeberli and Ogata are both trying to communicate information from one terminal to another.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have transferred a character code instead of the actual character image.

The motivation would have been to allow for faster transfer of information.

Therefore, it would have been obvious to combine Haeberli and Ogata to obtain the invention as specified.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yixing Qin whose telephone number is (571)272-7381.

The examiner can normally be reached on M-F 9:30-6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Twyler Lamb can be reached on (571)272-7406. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2625

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



YQ



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